

CHAPTER NO. 776

HOUSE BILL NO. 3454

By Representatives Coleman, DuBois, Yokley, Eric Watson

Substituted for: Senate Bill No. 3578

**By Senators Person, Cohen, Bowers, Tracy, Southerland, Woodson,
Herron, McLeary, Harper, Black, Finney, Kyle, Cruthchfield, Bryson and Mr.
Speaker Wilder**

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 13,
relative to real estate.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-13-313, is
amended in subsection (a) by adding the following as a new subsection thereto:

(a)

(4) If upon review of the complaint or at anytime thereafter
the commission determines that the complaint was not filed in a
timely manner or there is no reasonable cause to believe that the
applicant or licensee has engaged in the alleged violation or
violations of §62-13-312, the commission shall issue an order to
that effect, and a copy of such order shall be furnished to the
complainant, the applicant or licensee, and such public officers
and persons as the commission deems proper.

SECTION 2. Tennessee Code Annotated, Section 62-13-313, is further
amended by inserting the following as a new subsection thereto:

(e) Any complaint filed with the commission pursuant to this
chapter must be filed within the longer of the following:

(1) Two (2) years from the date of commission of the
alleged violation of §62-13-312 or the date that the complainant
actually became aware of such violation;

(2) The applicable statute of limitations set out in §40-2-
101, if the violation of §62-13-312, also constitutes a criminal
offense; or

(3) Ten (10) days after a successful criminal prosecution
becomes final if the violation of §62-13-312, also constitutes a
criminal offense and the time required for prosecution of such
offense exceeds the time specified in subdivision (1) or (2) of this
subsection.

SECTION 3. Tennessee Code Annotated, Section 62-13-405, is amended by adding the following language to the end of subsection (b):

The signed receipt shall contain a statement acknowledging that the buyer or seller, as applicable, was informed that any complaints alleging a violation or violations of §62-13-312 must be filed within the applicable statute of limitations for such violation set out in §62-13-313(e). Such acknowledgment shall also include the address and telephone number of the commission.

SECTION 4. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 10, 2006


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 24th day of May 2006


PHIL BREDESEN, GOVERNOR